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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

BAYAT, BRADLEY B

ART UNIT PAPER NUMBER

3621

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/741,156

Applicant(s)

MAENPAA ET AL.

Examiner

Bradley B. Bayat

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11 April 2005 has been entered.

Status of Claims

Applicant has amended claims 15-23, 29-34 and added new claim 35 in the after final amendment filed on 14 February 2005. Thus, claim 13-35 remain pending and are presented for examination on the merits.

Response to Arguments

Applicant's arguments with respect to the previously rejected claims have been considered, but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 13-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Biffar, U.S. Patent 6,047,269.

As per the following claim, Biffar discloses:

Claims 13 (24-28). An electronic commerce system (method, device) comprising:

- a customer (figure 1B, remote device A 100),
- an issuer of at least one token (figure 1B, central system 200),
- a vendor which sells goods or services (figure 1B, remote device B 101; column 4, lines 50-55) and
- a delegate which can spend the at least one token with the vendor (figure 1B, remote device 101; column 2, lines 45-48) and wherein:
 - the customer receives at least one token from the issuer, the at least one token being stored in a portable radio communication device of the customer (column 11, lines 4-20),
 - the customer activates the at least one token for use in buying the goods or the services from the vendor (column 9, lines 48-50),
 - the customer selects between spending the at least one token with the vendor to buy the goods or services (column 11, lines 21-34), or
 - delegates the at least one token to the delegate via a radio communication device of the delegate such that the delegate can spend the at least one token with the vendor to buy the goods or services (column 11, lines 35-40).

14. A system according to claim 13 wherein: the vendor presents a spent token to the issuer who redeems the token for monetary value (column 13, line 49-62).

Claims 15 (16). A system according to claim 13(14) wherein: the at least one token provided by the issuer when the issuer has authenticated the identity of the customer is defined as at least one Pre Token represented as $S(Rp, Auth, Ss)$ wherein S indicates an executable event in which Rp represents the Recipient, Ss represents the Sender and Auth is indicative of the goods/service (column 7, line 45-column 8, line 45; column 10, lines 25-38).

Claims 17 (18). A system according to claim 15 (16) wherein: the at least one PreToken is placed in a group (column 14, lines 12-32).

Claims 19 (20). A system according to claim 17 (18) wherein: the at least one PreToken or the group is assigned to provide a DelegatedToken given by, $DelegatedToken = S(PreToken/GroupToken, Dp, Cs)$, wherein S indicates an executable event in which the at least one PreToken or the group is transferred from the Customer (Cs) to the Delegate (Dp) (column 11, lines 35-column 12, line 38; column 13, line 49-column 14, line 32)

Claims 21 (22). A system according to claim 19 (20) wherein: the at least one PreToken, the group or the at least one Delegated Token is spent with the vendor to provide a SpentToken or a SpentDelegatedToken given by, $SpentToken = S(PreToken/thegroup, Mp, Cs)$, wherein S

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indicates an executable event in which a PreToken or the group is spent by the customer (Cs) with the vendor (Mp), and SpentDelegatedToken = S(DelegatedToken, Mp, Ds), wherein S indicates an executable event in which at least one DelegatedToken is spent by the delegate (Ds) with the vendor (Mp) (column 3, lines 56-65; column 16, lines 59-67).

23. A system according to claim 21 wherein: the vendor redeems the SpentToken or SpentDelegatedToken with the issuer to result in a RedeemedToken given by, $\text{RedeemedToken} = S(\text{SpentToken}/\text{SpentDelegatedToken}, \text{Ms})$, wherein S indicates an executable event in which a SpentToken or SpentDelegatedToken is redeemed by the vendor (Ms) (figure 6, redemption 6000; column 19, lines 38-43).

Claims 29 (30-34). An electronic token used in the system of claim 13 (24, 25, 26, 27, 28), wherein the electronic token includes at least one parameter specifying a use thereof (column 11, lines 48-52).

35. An electronic commerce system comprising:

- a first user terminal device associated with a first user (figure 1B, 100 remote device A;
- a second user terminal device associated with a second user (figure 1B, 101 remote device B);
- an account processor means associated with an issuer of electronic tokens (figure 1B, central system 200),

-transaction means associated with a vendor of obtainable goods or services(column 6, lines 57-64);

-the first user terminal device having means for communicating with the account processor means so as to obtain electronic tokens from the account processor means (figure 1B, 300 network for signal transport);

-means for storing the electronic tokens (column 7, lines 62-64; figure 4, remote device A memory 130);

-means for activating the electronic tokens for defining the obtainable goods or services from the vendor (column 8, lines 6-13),

-means for communicating with the second user terminal device so as to transfer the activatable electronic tokens to said second user terminal device (column 10, lines 39-56);

-the second user terminal device including means for receiving the electronic tokens from the first user terminal device (column 11, lines 21-34), and

-means for communicating with the transaction means so as to obtain the obtainable goods or services from the vendor in exchange for the electronic tokens (column 11, line 53-column 12, line 39).

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially

teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

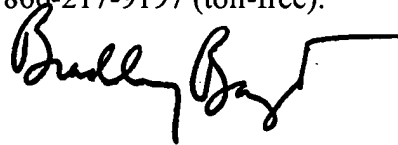
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- US Patent 6,205,435 B1 to Biffar.
- US Patent 6,515,988 B1 to Eldridge et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley B. Bayat whose telephone number is 571-272-6704. The examiner can normally be reached on Tuesday-Friday 8am-6: 30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bradley B. Bayat
Patent Examiner
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